

# WASHINGTON STATE DEPARTMENT OF HEALTH BOARD OF PHYSICAL THERAPY PUBLIC MEETING MINUTES

Tuesday, March 15, 2005

9:00 a.m.

Department of Health, 1610 NE 150<sup>th</sup> Street, Room S4, Shoreline, WA.

On March 15, 2005, the Board of Physical Therapy met at the Department of Health, 1610 NE 150<sup>th</sup> Street, Room S4, Shoreline, WA. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

## **MEMBERS PRESENT**

SAMUEL STOCKTON, PT, CHAIR  
SHAWN QUIGLEY, PT, VICE CHAIR  
CHARLES MARTIN, PT  
PAULA DILLON MAYS, PT  
SU SAWYER, PUBLIC MEMBER

## **STAFF PRESENT**

KRIS WAIDELY, HEALTH SERVICES CONSULTANT 3  
JENNIFER BRESSI, HEALTH SERVICES CONSULTANT 1  
MELISSA BURKE-CAIN, AAG  
PETER HARRIS, STAFF ATTORNEY  
JOY KING, EXECUTIVE DIRECTOR

## **GUESTS PRESENT**

Patricia Muchmore

### **Tuesday March 15, 2005 – 9:00 am – OPEN SESSION**

#### **1. CALL TO ORDER - meeting called to order at 9:00 am**

- 1.1 Approval of Agenda – The agenda was approved with an addition to item number 8.
- 1.2 Approval of Conference Call Meeting Minutes from January 18, 2005. – The minutes were approved as presented.

#### **2. BOARD DELEGATIONS** – The Board reviewed and approved the additions to the Delegation of Signature Authority for Credentialing, Rulemaking and Disciplinary Functions.

#### **3. BOARD ACTIONS REPORTING FORM** – The Board reviewed and discussed reporting Board disciplinary actions to the Federation of State Boards of Physical Therapy (FSBPT). The Board asked for more information regarding how this information would be used by FSBPT and whether or not we would be able to query a database to check disciplinary actions for applicant's applying for licensure. Currently, the department completes a Washington State Patrol criminal background check on each applicant applying for

licensure. However, the department does not request information from the Healthcare Integrity and Protection Data Bank (HIPDB) because of the cost involved. Ms. Waidely will contact FSBPT for further clarification and report the information back to the Board.

4. **RULES HEARING – 9:30 a.m.** – A hearing was held to receive testimony supporting or opposing the following proposed rules: WAC 246-915-350 Inactive Credential and WAC 246-915-990 Physical Therapy Fees and Renewal Cycle. The department received a letter from the President of the Physical Therapy Association of Washington, Inc. supporting the rule. No comments were received opposing the rule.
5. **LAURIE JINKINS, ACTING ASSISTANT SECRETARY** – March 8, 2004, Mary Selecky, Secretary, appointed Laurie Jenkins Assistant Secretary for Health Systems Quality Assurance (HSQA). Ms. Jenkins was been meeting with legislators to discuss different ideas to change the current discipline system. The department is functionalizing to speed up the timeliness of handling complaints. There are three bills regarding discipline, HB1071 which has been re-filed this year. The language regarding taking away charging decisions from Boards has been removed but will be pursued in the future. SB5636 imposition of sanctions addresses whether Boards can be aware of prior discipline while determining sanctions. HB1538 and SB5492 Hospital Reporting Bill – Anytime a provider is restricted in the hospital the hospital will be required to report this information to the department.  
  
Ms. Jenkins announced that Mary Selecky has been reappointed by the governor. Governor Gregoire indicated that she feels patient safety is a priority and has challenged Mary Selecky to do something about the discipline system to ensure patient safety.  
  
Ms. Jenkins also informed the Board that the department is currently using a 20 year old licensing system. The department is currently looking at purchasing a new off the shelf integrated licensing system. If an incident occurs at a hospital and effects multiple provider's the new system will allow the information to be shared by all involved.
6. **BOARD POLICY REVIEW DISCUSSION** - The Board reviewed and approved the modifications to policy 4.6 Applicants who have been actively engaged in Physical Therapy Practice.
7. **FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY (FSBPT) ANNUAL MEETING AND DELEGATE ASSEMBLY** – The Board voted for which board members (delegate and alternate delegate) will attend the FSBPT 2005 Annual Meeting and Delegate Assembly in Austin, Texas, September 9-12, 2005. Sam Stockton, PT, will attend the meeting as the delegate, Paula Mays, PT, will attend as the alternate delegate, and Su Sawyer, Public Member, may possibly attend.
8. **CORRESPONDENCE APPROVED BY THE BOARD** – The Board reviewed and discussed the correspondence regarding providing Iontophoresis treatments using the medication Dexamethasone. The Board agreed that it is within the physical therapy scope

of practice to administer Iontophoresis treatments as long as it's accompanied by a prescription with emphasis on administering rather than dispensing. Ms. Waidely will draft a letter for response and send it to Sam Stockton, PT, Chair, for approval prior to sending the letter out.

The Board discussed correspondence regarding the legality of Physician-Owned Physical Therapy Services (POPTS). The Board would like Melissa Burke-Cain, AAG, to handle this by referring this correspondence to the Attorney General's Office Anti-Trust Division.

Mark Lane from the Federation of State Boards of Physical Therapy (FSBPT) is requesting a workgroup to look at the passing/fail rates for the National Physical Therapy Examination to determine whether there are any issues that may need to be addressed. Sam Stockton, PT, indicated that if anyone has any names of potential nominees, they can e-mail them to him and he'll forward the information to Mark Lane.

9. **HEALTH PROFESSIONS FEE ADJUSTMENT PROPOSAL** – Ms. King, Executive Director, provided a brief overview of the Health Professions Fee Adjustment Rule-Making Proposal. At renewal time each renewal will be processed at a one time reduced fee. It will be a one cycle rebate and then it will be re-evaluated to see if this will be done on a year by year basis.
10. **CREDENTIALING AGENCIES REVIEW** – The Board was provided with evaluations received from the Foreign Credentialing Commission on Physical Therapy, Inc. (FCCPT) and the International Education Research Foundation, Inc. (IERF). The Board would like Ms. Waidely to contact these agencies to see if they can provide another evaluation for review by the Board. Ms. Waidely will also contact the International Consultants of Delaware, Inc. (ICD) to ask if they would like to provide an evaluation for review by the Board. After the credential evaluations are received the information will be sent to Paula Mays, PT, board member to compile the data into one report for review by the Board.
11. **PROGRAM REPORT** – Information provided to the Board by the Program Manager.
  - 11.1 Legislative Update – No new information regarding legislation has been provided.
  - 11.2 Budget Update – October, November, and December 2004 Interim Operating Reports were provided to the Board.
  - 11.3 Organizational changes – Ms. King, Executive Director, explained the department's goal to create consistency among professions and improve efficiencies. The second phase is the introduction of a credentialing unit. Jennifer Bressi will be the program manager for the new credentialing unit.
  - 11.4 Other - The Board cancelled their meeting in the Tri-Cities in May. The Board will meet by conference call in May. The July board meeting will be in Tumwater.
  - 11.5 Planning for Upcoming Meetings – The Board will review sample credential evaluations, Telehealth, Forensic Psychologist, and applicant's from unapproved schools WAC.
  - 11.6 Provided for the Board's Information:

- Health Professions Quality Assurance memo from Bonnie King, HPQA Director, dated January 2, 2005.
- Federation of State Boards of Physical Therapy 2005 Budget.

**CLOSED SESSION 1:10 P.M.**

**12. REVIEW OF APPLICATIONS**

Applicant A – Application approved.

Applicant B – Deny, pending completion of additional general education credits, wound care, pharmacology, TOEFL, and TSE.

Re-exam waiver request – Deny request, applicant must take the national exam.

**13. DISCIPLINARY CASE REVIEWS**

Case 2004-07-0004PT – Close case – no violation.

Case 2004-08-0002PT – Close case after investigation – no violation.

Case 2004-02-0003PT – Close case – appropriate care provided.

**14. CONTINUING EDUCATION AUDITS -** Board members reviewed CE audits for compliance.

**15. ADJOURNMENT** – The meeting was adjourned at 3:06 p.m.

Respectfully submitted:

Approved:

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Kris Waidely  
Program Manager

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Charles Martin, PT, Acting Chair  
Board of Physical Therapy